File No. 468
1904.

Collection No.

Jimpora Residency

Pros. Serial Nos. 1 5 ✓

Subject.

Succession certificate to Seshamma, daughter of Polepalli Subbarathy of Bangalore City

Previous References.

Later References.

R. P.B.—6-1904.—1,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 469 of 1904 √

Sl. 1

Application
~~Letter No.~~ dated 29th November 1904
from Seshamma, daughter of Meenakshiammal deceased.

SUBJECT.

For a Succession Certificate under section 17 of Act VII of 1889.

putup

According to the petition originally presented the petitioner asked for a succession Certificate to Collect only the interest Rs 1000/- due on a fixed deposit of Rs 5,000 with Messrs Arbuthnot & Co in the name of her deceased mother Meenakshiammal and paid ~~only~~ the Stamp ~~Stamp~~ duty at 2 o/o only the for the Certificate in respect of ~~the~~ interest and not of the principal. As the principal amount has to be shown ~~entered~~ in the Certificate and a deposit of Stamp duty on the principal sum was also necessary, the petitioner's advocate was asked by office to make a further deposit of Rs 100, which was done on the 10th December and the petition amended.

2. As stated in para 4 of the petition, the title of the petitioner to Collect the assets of her deceased mother, Meenakshiammal, has been recognised by the Mysore Courts after necessary enquiry, held on an objection taken ~~the right was contested~~ by one of her relatives. It does not therefore seem necessary to

(vide Sls 1/[illegible] 1/[illegible])

publish the usual notice of the present application.

3. If approved, a certificate may be granted to the petitioner, as prayed for, on her furnishing a Security bond with one Surety for Rs 6000/- the amount of the principal interest above referred to, the Security being approved by the Deputy Commissioner of Bangalore -

13.12.04.

14/12

Draft order is submitted below for the approval of the First Asstt. Resident.

15-12-04 16/12

Issued No. 6384 dated 20-12-04 Sl.2

R. P. B.—9-1904.—2,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 469 of 1904

815

Letter No. 870 dated 15th April 1905
from the Mysore Darbar

SUBJECT.

forwarding a Security bond, duly executed, by Sebhamma d/o the Late Thimmasamy Chetty

Draft certificate to be issued to petitioner, Sebhamma, is prepared below and submitted for approval. The Security bond may be filed.

18.4.05 1874

1874

other debts in Miscellaneous case No.8 of 1902-03, as extended in Miscellaneous case No.229 of 1903-04, on the file of the District Court, Bangalore Division, and is the sole representative of the deceased Meenakshammal. (Vide copies of orders in misc no 8 of 02-3 on the file of the dist judge Bangalore division of the chief court in civil appeal no 32 of 1903-04)

(5) That the said Meenakshammal died intestate and that no Probate or " Letters of Adminstration " to the estate of the aforesaid Meenakshammal has been obtained as laid down in Sub Section 1V of Section 1 of the Act.

For these reasons the Petitioner respectfully prays that this petition may be received and a certificate ganted to her for collecting the interest due on the fixed deposit mentioned in the Schadule to the extent of Rs.1000/-.

Bangalore
Dated 29th November 1904.

Advocate for Petitioner

I, the Petitionet abovenamed, do hereby declare that what has been stated above is true to my knowledge except as to matters stated on information and belief and that as to those matters I believe them to be true.

Schedule

Interest due on the fixed deposit of Rs.5000/- in the name of the deceased Meenakshammal widow of the late Pollepalli Subba Setty from 15th January 1901 till 15th December 1904 @ 5 % per annum.	Rs.979-2-8.
	*Rs. 5000 - - -

The principal
10/12/04

* The deposit required to be made as the principal sum Rs.5000/- is Rs.1000/-.

COURT FEE
INDIA
Sm. D. Venkatramamah
28th November 1904
V. Ramakrishnamma
TWO RUPEES

8l 1/9

In the Court of the Hon'ble the British Resident's Court- ಕೋರ್ಟಿಗೆ.

ಸಕ 190 ನೇ ಇಸವಿ Misc case No 8 of 1904 ನಂಬರು.

Petitioner
Shekamma

ಪ್ರತಿವಾದಿ

Mr Venkata Ramaiah BA
Advocate

ರವರಿಗೆ

. Petitioner ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ಕೋರ್ಟಿಗೆ ನನ್ನಪರವಾಗಿ ಹಾಜರಾಗಿ ಅರ್ಜಿ ನಗ್ಯೆರೆ ಕೊಟ್ಟು ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಮತ್ತು ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಶಿಲ್ಕು ಮೊಬಲಗು ಡಿಕ್ರಿ ಮೊಬಲಗು ದಸ್ತ್ವಾವಜು ವಗ್ಯೆರೆ ತೆಗದುಕೊಂಡು ರಶೀದಿ ಕೊಡುವದಕ್ಕೂ ಸಹ ತಮಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ಧನಾಗಿರುತ್ತೇನೆ.

ತಾರೀಖು 18ನೇ 11 ೧೯೦4 ನೇ ಇಸವಿ

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ತರು. ನನ್ನಸಮಕ್ಷನು ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆಯಾದ್ದರಿಂದ ನಾನು ಸರಟನ್ಸ್ಯೆ ಮಾಡಿದ್ದೇನೆ.

ಅಂಗೀಕರಿಸಿ ಇರುತ್ತೇನೆ.

Venkatramamma

☞ ಈ ಫಾರಂ ಬೆಂಗಳೂರು ಸಿಟಿ ಚಿಕ್ಕಮೇಟಿ ನಂ| ೪೮೯ನೇ ಪುಟಗಳ ಚಿಕ್ಕಪುಸ್ತಕದಲ್ಲಿ ಜೋಡಿಸಲ್ಪಟ್ಟಿದೆ.

J. L. N. Press,—Bangalore City.

SC/1C

In the Court of the District Judge,
Bangalore Division

Miscellaneous Case No. 229 of 1903-04

On the application of Shashamma daughter of Polepally Subba Shetty, residing at Doddapet, Bangalore City, made to me on the 14th day of December 1903, I hereby extend the certificate granted to her in Miscellaneous Case No. 8 of 1902-03 on the file of this Court, to the following debts:—

Serial No.	Name of debtor	Amount of debt including interest to date of application for extension	Description and date of instrument if any, by which the debt is secured.
1	Mangiah Chetty and others	Rs 720——	Amount sued for in original suit No. 280 of 1903-04 on the file of the Principal Munsiff's Court Bangalore

2	K. Venkata Chelliah	Rs 593-12-0	Pro-note dated 26th September 1897 executed by the debtor.
3	Messrs Arbuthnot & Co	Rs 730-0-0	Fixed deposit in the name of Meenatchiammal.
4	Government Savings Bank Bangalore	Rs 2246-0-0	Pass-Book No. 2106.
5	Settlur Ramaswamiengar and Settlur Krishniengar Trustees	Rs 402-8-0	Pro-note dated 19th May 1895.
		4692-14-0	

This Extension empowers Shesha immediate to collect the said debts.

Dated the 16th day of January 1904.

Sd/ S. R. Subbarayappa Esqr.
District Judge
Bangalore Division

True copy
"By order of the Court"
Sd/ B. Narasimhayya
for Ag: Sheristedar
dist: Court.

Compd by M. Ramachandra (Sd).

Date of application 5-9-04
Date when Stamps & fees called for 5-9-04
Date when deposited — do
Date when copy was ready 5-9-04
Date when copy was delivered 5-9-04.

No. of words 185
Copying fee 0-2-8
Comparing fee -8
1 P Copy -3
0-3-7

Sd/ V. D. Sawmy Pillay
L. C.

(original No. 13 of 1895-96) was allowed to be withdrawn. The award of the arbitrators was in the nature of a compromise between the parties, and it was to the effect that out of the Estate of the deceased P. Subba Chetty, the counter petitioner and his father were to be paid Rs. 47,000 and 10,000 respectively, and that the remainder of the Estate, was to be taken and enjoyed by Meenatchammah as her own. Thereupon she applied for a certificate to collect the debts due to her deceased husband absolutely in her own rights and without her being required to furnish any Security, and a succession Certificate was accordingly granted to her. She died on 16th July 1907, and the petitioner, as her daughter, applies for a certificate to collect her debts, and the

Counter

counter petitioner as her adopted son opposes the application.

3. On a careful consideration of the circumstances of the case and particularly of the terms of the award I am of opinion that the counter petitioner has no right to intervene and oppose the application of the petitioner. For the consideration of the payment of Rupees 57000 made to him and his maternal Gaithe, he relinquished all his rights whatsoever there might be to the remainder of Pollapally Subba Chetty's estate, and the award further stipulated that each was to enjoy his or her share of the property allotted to him or her as he or she wished, and that in all future dealings such share should be regarded and treated as absolutely his or her property, to which the other had

In the Chief Court of Mysore at Bangalore

Wednesday the 10th day of February 1904.

Present

Mr. Justice A. Ramachandra Rao.
Chief Judge

and

Mr. Justice A. Rangaswamiengar, Judge.

Mis: appeal No. 32 of 1903-1904.

P. Chinnasubbia Chetty ... Appellant
(By Mr. L. Srinivasiengar) (Ld. Pet.)

vs

Seshamma .... Respondent
(By Messrs. Venkatramayya (Pet.)
and B. Nanjundappa)

Mis: appeal against the order of the district Judge of Bangalore in Miscellaneous Case No. 8 of 1902-03.

This Mis: appeal coming on for hearing this day, the Court pronounced the following,

order

Order.

The question for decision is; whether the appellant or Respondent has prima facie the best title to collect the debts due to the Estate. It is admitted that the Respondent is the daughter of the deceased Subba Setty. The appellant claims to be his adopted son. We observe that, in 1895-96, a suit was brought to establish the said adoption, that it was withdrawn by the minor Son's next friend, and that there has been no adjudication of his title. The question being too intricate for determination in a Summary proceeding, we are of opinion that the title of the daughter must be upheld. We confirm the order made by

Sl. 2

The Mysore Resident's Office,

No. 6384 Bangalore, 20th December 1904.

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

Read:-

1. Petition dated 29th November 1904, presented by Seshamma, daughter of Meenakshiammal deceased, praying that she may be granted a succession certificate under Section 17 of Act VII of 1889, to collect the sum of ₹6,000-0-0 being principal and interest due on the fixed deposit of ₹5,000 lodged with Messrs. Arbuthnot and Co., of Madras in the name of her late mother.

Sl. B 2. Copy of certificate granted to petitioner Seshamma by the Court of the District Judge, Bangalore Division, in Mis: No.8 of 1902-1903.

Sl. C 3. Copy of Extended certificate granted to the said Seshamma by the said District Court in Mis. Case No.229 of 1903-1904.

Sl. D & E 4. Copies of orders of the District Court, Bangalore Division, and of the Chief Court of Mysore respectively in Mis: No.8 of 1902-1903 and Mis: Appeal No. 32 of 1903-1904 upholding the title of the petitioner to obtain a certificate in regard to the collection of debts due to the estate of her late mother Meenakshiammal.

O R D E R.

A certificate will be granted to the petitioner Seshamma, as prayed for, on her furnishing a security bond with one surety for

Rs6,000/- the surety being approved by the Deputy Commissioner of Bangalore,

By Order,

sd/ Rm. King.
First Assistant Resident.

To

The Petitioner
(thro' Mr. D. Venkatramiah, advocate)

R. P. B.—9-04—1,000.

RESIDENT'S OFFICE.

Serial No. 4

File No.

[DRAFT.]—For approval.

To

The Dewan of
Mysore.

No 959 Encl

16th February 05

From

R. C. H. MOSS. KING, Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

Sir,

I am directed to state that on the application of one Sheshamma, daughter of the late Polepalli Subba Letty of Bangalore, for a succession certificate under Section 17 of Act VII of 1889, in respect to certain debts amounting to Rs 6,000/- due to the estate of her mother Meenakshi-ammal (deceased) from Messrs Arbuthnot & Co: of Madras the Hon'ble the Resident has ordered the grant of the Certificate on the petitioner furnishing a bond with one Surety for the said Sum.

2. The petitioner has named one B. Chinnoswami Chetty, merchant, residing at No 55 Avenue Road, Bangalore city, as her Surety. If

sl 2

this individual is found by the Deputy Commissioner of Bangalore to be good and sufficient surety for the said sum of Rs 6,000/-. I am to request that that office may be asked to cause the security bond to be executed on a British India General Stamp paper of the value of Rs 5/- in the accompanying form and that the same may be forwarded to this office when ready.

I have &c

1st Asst Resident

31.1.05

C 7-2-05

1/2

(~~Continuation of~~ Draft).

Before the Hon'ble the Resident in Mysore at Bangalore

Application in file No 469 of 1904 for a certificate under Section 17 of Act VII of 1889.

In the matter of a debt amounting to Rs 6,000/ due to the estate of the late Meenakshi amma, widow of the late Polepalli Subba Setty of Bangalore, from Messrs. A. Buttanoth & Co of Cuddapah -

Petitioner - Sheshamma, daughter of the late Polepalli Subba Setty by his wife the late Meenakshiamma residing in Doddapett, Avenue Road, Bangalore City.

Surety - - -

(Continuation of Draft).

Know all men by these presents that we, Sheshamma, petitioner, and . . . . . .

. . . . . .

residing at . . . . . .

. . . . . .

Surety are jointly and severally bound to the Hon'ble the Resident in Mysore, at Bangalore in the sum of Rs. 6000/ to be paid to the said Hon'ble the Resident in Mysore ~~at Bangalore~~ for which payment to be made we bind ourselves and each of us, in the whole, our, and each of our heirs executors and administrators jointly and severally.

Dated this day of

. 1905

Now the condition of the above written bond is such that if the said Sheshamma, the grantee of the certificate,

shall, within one year from the grant to her of a Certificate under the Succession Certificate Act, 1889, exhibit in the office of the said Amble the Resident in Mysore a full and true account of all monies received by her on account of the debts due to the estate of her late mother Meenakshiamma from Messrs Arbuthnot & Co of Madras amounting to ~~Rs.~~ 6,000/- and shall deliver and pay the same into such person or persons lawfully entitled thereto, then the above bond shall be void and of no effect otherwise it shall remain in full force

Signature

Witnesses:

M. G. 9/2/05

LL 5

G.R.S. 48] Diary No. 2114 17/4/05.
Date of Receipt 17/4/05.
File No. 469/04

Pol No. 870

Encl

GOVERNMENT OF H. H. THE MAHARAJA OF MYSORE.

GENERAL & REVENUE SECRETARIAT.

Dated Bangalore 15th April 1905.

From

B. K. VENKATA VARADA IYENGAR, ESQ.,

Secretary to the Government of H. H. the Maharaja of Mysore,

General & Revenue Department.

To

R. C. H. MOSS-KING, ESQ., I.C.S.,

First Assistant to the Hon'ble the Resident in Mysore.

SIR,

S.4 Adverting to your letter No. 959 dated the 16th February 1905, I am directed to forward herewith the bond executed by Seshamma, daughter of the late Polepalli Subba Setty of Bangalore and by her surety B. Chinnasami Chetty, in connection with the grant to her of a succession certificate by the Hon'ble the Resident.

2. The Deputy Commissioner reports that the surety named is the husband of the applicant and owns property worth Rs13000/ under a mortgage bond.

I have the honour to be,

Sir,

Your most obedient servant,

M Shamanna
Dep'y Sec'y for Secretary,
on leave

MGCPB—4,000—24-2-05

Before the Hon'ble the Resident in Mysore at Bangalore.

—:o:—

Application in file No. 469 of 1904 under section 17 of Act VII of 1889.

In the matter of the estate of the late Meenakshamma, widow of the late Polepalli Subba Setty of Bangalore

but now deceased.

To Sheshamma, daughter of the late Polepalli Subba Setty by his wife the late Meenakshammal residing in Doddapett Bangalore city.

Whereas you applied on the 29th day of November 1904 for a certificate under the Succession Certificate Act, 1889, in respect of the following debt, namely :—

Serial number.	Name of debtor.	Amount of debt, including interest on date of application for certificate.	Description and date of instrument, if any, by which the debt is secured.
	Messrs Arbuthnot & Co., Madras	Rupees 6000/-	Fixed deposit

This certificate is accordingly granted to you and empowers you to collect the aforementioned debt.

Dated Bangalore, this 18th day of April 1905.

P.M. 1874

Resident.

18.4.05 M. 1874

R. P. B.—2-05.—100.